

**IN THE HIGH COURT OF CHHATTISGARH JUDICATURE AT
BILASPUR.**

W.P. NO. 413/2004

PETITIONER

Dr. Shahid Khan S/o. Shri Irshad Ahamad Khan, aged about 31 years Unani Medical Officer, Government Unani Dispensary Jagdalpur, Distt. Bastar (C.G.)

Versus

RESPONDENTS

State of Chhattisgarh, Through the Secretary Public Health & family Welfare and Medical Education Department Dau Kalyan Singh Bhawan Raipur (C.G.)

2. State of Madhya Pradesh Through the Secretary Public Health & family Welfare and Medical Education Department Valabh Bhawan Bhopal (M.P.).

3. The Secretary, General Administration Department (G.A.D.) and State Reorganisation cell Wallabh Bhawan, Bhopal (M.P.)

4. Union of India through the Secretary Ministry of Personnel Public Grievances and Pension, Personnel and Training Department, New Delhi.

5. Director of Indian System of Medicines and Homeopathy, Old Nurses, Hostel Raipur (C.G.)

**WRIT PETITION UNDER ARTICLE 226/227 OF THE
CONSTITUTION OF INDIA**

The petitioner above named beg to submit as under:-

01) PARTICULARS OF THE PETITIONERS

As mentioned in the cause title.

Shahid

Received-Copy
Shri Yadav
05-02-04
Clerk to Shri
VINAY HARIT
Senior Central Government Standing Counsel
CHHATTISGARH HIGH COURT

RECEIVED-COPY
5-2-04
Clerk to A. G. Bilaspur



P.R. No. 398/04
Presented by Shri (Name) Mishra
dated 05-02-04

आदेश पत्रक

मामला क्रमांक

W.P.No. 413/2004

सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>21.04.2004</u> Shri Subhash Yadav, counsel for the petitioner. Shri Sanjay S. Agrawal, Panel Lawyer for the State. None for respondents No.2 and 3. Service to them is not required as no relief is claimed from them. Service to them is dispensed with. Shri Vinjay Harit, Sr. Standing Counsel with Shri V.V.S. Murthy, Addl. Standing Counsel for Union of India and its officials. Application for urgent hearing is allowed. Heard. By this petition under Article 226/277 of the Constitution of India, the petitioner has submitted that though he has been allocated to the State of Madhya Pradesh but he is not being relieved. He relied on judgments of this Court in W.P.No.516/2003 (Dr. Ashok Kumar Jain & Ors. Vs State of Chhattisgarh & Ors.) dated 17.12.2003 and in W.P.No.152/2004 (Dr. Shiv Dayal Shavnere vs State of Chhattisgarh & Ors.), copies of which have been filed along with the petition as Annexures P-14 and P-16. This fact is not disputed by the other side. Having considered the facts and circumstances, material on record and in view of the judgments cited above and further the legal position, the action of the State authorities in not	

[पीछे देखिये]

आदेश पत्रक

मायला क्रमांक W.P. No. 413/04 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	relieving the petitioner cannot be sustained and the petitioner is entitled for relieving. Accordingly, the petition is allowed and the respondents are directed to relieve the petitioner. Learned counsel for the Union of India submits that elections are going on and election process will continue upto 20.05.2004. In the circumstances, it is directed that the petitioner be relieved immediately after 20.05.2004 and in any case before 31.05.2004. With this observation, the petition is disposed of.	Sd/- Fakhruddin Judge

[पीछे देखिये]